

**Amendments to the Claims:**

Please amend the claims are as follows:

1. (Withdrawn)
2. (Withdrawn)
3. (Currently amended) ~~A picture hanging device as defined in claim 1~~ A picture hanging device, comprising a body; at least one marking element extending from one side of said body for marking a wall and the like, said body having at least one flexible portion which is of one piece with a remaining portion of said body, said at least one marking element being arranged on said at least one flexible portion so that by displacing said at least one flexible portion relative to said remaining portion of said body, said at least one marking element can be displaced perpendicular to said body for marking purposes, wherein said body has a protruding peripheral edge which forms a recess accommodating said at least one marking element elements, so that in an inoperative position said at least one marking element does not extend beyond a surface of said body, while in an operative position in which said at least one flexible portion is displaced, said at least one marking element extends beyond said surface of said base.
4. (Currently amended) ~~A picture hanging device as defined in claim 1~~ A picture hanging device, comprising a body; at least one marking element extending from one side of said body for marking a wall and the like, said body having at least one flexible portion which is of one piece with a remaining portion of said body, said at least one marking element being arranged on said at least one flexible portion so that by displacing said at least one flexible portion relative to said remaining portion of said body,

said at least one marking element can be displaced perpendicular to said body for marking purposes, and further comprising a protective element provided on a bottom surface of said body, said at least one marking element ~~marking device~~ in an inoperative position not extending beyond said protective element, while in an operative position ~~device~~ in which said at least one portion is displaced, said at least one marking element extends beyond said protective element.

5. (Original) A picture hanging device as defined in claim 4, wherein said protective element is formed as a continuous protective layer.
6. (Original) A picture hanging device as defined in claim 4, wherein said protective element includes a plurality of protective pads.
7. (Currently amended) A picture hanging device as defined in claim 4, wherein said protective element is composed of a material which provides a low coefficient of drag friction.
8. (Withdrawn)
9. (Withdrawn)
10. (Withdrawn)